



A

B I L L

[AS AMENDED BY THE COMMITTEE]

To regulate Joint Stock Banks in Scotland and Ireland.

[N. B.—The Clause marked (A.) was added by the Committee.]

TH ~~HEREIN~~ an Act was passed in the eighth year of the reign of Her Majesty, intituled, "An Act to regulate Joint Stock Banks in England;" and it is expedient to extend the provisions of the said Act to Scotland and Ireland; ~~BE it Enacted~~, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all the provisions of the said Act (except as hereinafter excepted) shall extend to Scotland and Ireland, and to every Company of more than Six persons, who shall carry on the trade or business of Bankers in Scotland or Ireland after the passing of this Act, as if the first-recited Act were herein re-enacted, with the substitution of the words "United Kingdom of Great Britain and Ireland," instead of the word "England," wherever the same is found in the said Act: Provided always, That where by the said Act enactments are made with reference to agreements or covenants of co-partnership entered into on or after the Sixth day of May last passed, before the passing of the said Act, and Companies carrying on or established for the purpose of carrying on the trade or business of Bankers in England on or before the said Sixth day of May, the same enactments shall be deemed to apply in Scotland and Ireland only to agreements or covenants of co-partnership entered into on or after the Ninth day of August last past, and Companies carrying on or established for the purpose of carrying

Enacted:
7 & 8 Vict.
c. 112.

1.
Extension of
7 & 8 Vict.
c. 112, to
Scotland and
Ireland.

carrying on the trade or business of Bankers in Scotland or Ireland on or before the said Ninth day of August: Provided always, That nothing herein contained shall extend to apply to Scotland or Ireland so much of the said recited Act as declares what Companies shall be deemed trading Companies within the provisions of an Act passed in the eighth year of the reign of Her present Majesty, intituled, "An Act for facilitating the winding up of the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements."

2.
Creditors in
Scotland not
to be deprived
of remedies
competent to
them before
the Act.

And be it Declared and Enacted, That nothing herein or in the first-recited Act contained, shall be held to preclude any Creditor of any such Company in Scotland from any remedy or proceeding now competent to such Creditor by the law of Scotland against such Company or the partners thereof, or the property, funds or effects of such Company or of the partners thereof, or to preclude any partner of any such Company in Scotland from any remedy or proceeding now competent to such partner by the law of Scotland against such Company or any of the other partners thereof, or against the property, funds or effects of such Company or partners.

3-
Interpretation
Clause.

And be it Enacted, That the following words and expressions in the first-recited Act shall have in Scotland the several meanings hereby assigned to them, unless there be something in the subject-matter or context repugnant to such construction; (that is to say) the expression "Copy of the Register of such Marriage, or other particulars of the celebration thereof," shall be held to include all legal evidence of such marriage; the expression "Probate of the Will or Letters of Administration, or an official extract therefrom," shall be held to include the Will itself, or an official extract therefrom, or confirmation of an official extract therefrom; the expression "Committee of such Idiot or Lunatic" shall be held to include any curator or other person having by lawful authority the right to receive the funds of such idiot or lunatic.

4.
CLAUSE (A.)
Companies
established
since 9th
August last
may carry on
business until
the 31st day
of December
next, and no
longer;

AND whereas certain Companies of more than Six persons are now carrying on the trade and business of Bankers, under agreements or covenants of co-partnership, entered into since the Ninth day of August last past; and it is expedient to allow to such Companies a certain time within which they may be at liberty to comply with the provisions of this Act; BE it therefore Enacted, That any Company of more than Six persons, which shall be now carrying on the trade and business of Bankers under agreements or covenants of co-partnership, entered into subsequently to the said Ninth day of August, may continue to carry on the said trade and business until the Thirty-first day of December One thousand eight hundred and Forty-six, and no longer,

longer, any thing in this Act to the contrary notwithstanding : Provided
 always, That it shall be lawful for every such Company to apply to
 Her Majesty for letters patent, under the provisions of this Act, in the
 same manner as if such Company had carried on the trade and business
 5 of Bankers under an agreement entered into before the said Ninth day
 of August ; and if Her Majesty shall be pleased to grant to such Com-
 pany letters patent on or before the Thirty-first day of December
 One thousand eight hundred and Forty-six, it shall be lawful for such
 Company thereafter to carry on their trade and business of Bankers
 10 as aforesaid, according to this Act, and not otherwise.

but may ap-
 ply for and
 obtain Letters
 Patent under
 this Act.

And be it Enacted, That this Act may be amended or repealed by
 any Act to be passed during this Session of Parliament.

5.
 Act may be
 amended or
 repealed.

*Joint Stock Banks (Scotland and
Ireland).*

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B I L L

[AS AMENDED BY THE COMMITTEE]

To regulate Joint Stock Banks in Scotland
and Ireland.

*(Prepared and brought in by
Mr. Groom, Mr. Chancellor of the Exchequer
and Mr. Cardwell.)*

*Ordered, by The House of Commons, to be Printed,
24 April 1846.*

231.

Under 1 c.